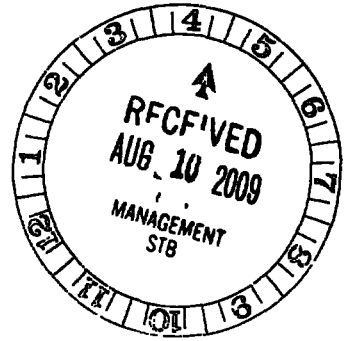


Anna M. Moore
Jack P. Janetatos
420 Jefferson's Trace
Amherst, VA 24521
(434) 277 8764
ammoore@wildblue.net



225514

August 8, 2009

Surface Transportation Board
EP-690
Washington, DC 20423

ENTERED
Office of Proceedings
AUG 10 2009
Part of
Public Record

By Facsimile Transmission: (202) 245-0458

Re: Effect of Rails to Trails on Farmers

Sir/Madam:

My husband and I own a working farm in Central Virginia with hay, cattle, horses, and a vineyard. An abandoned spur railway runs through a portion of our property, cutting off our 12 acre hay field. Nelson and Amherst Counties are building a hiking, biking, horseback riding trail on this right of way using primarily Federal Highway and Virginia Department of Transportation (VDOT) money.

Funding Irregularities

There have been many irregularities in the management of this trail resulting in the fining of Nelson County \$427,019 because they were not in "environmental compliance." For some reason that we cannot understand, VDOT paid this fine for Nelson County.

To date more than \$2 million in taxpayer dollars have been spent on two miles of a trail that comes to a dead end with no outlet—two more bridges to nowhere.

Inflated Appraisal

In addition, a highly inflated appraisal was used so that the donor of this land could get massive tax deductions (purchase price \$30,000; appraisal for purposes of donation \$725,000!). These rails to trails should not be a tax haven for the few.

Effect on Famers

Another troubling aspect of this trail is the effect it has on adjacent landowners. This trail runs through woods and farms and will have a major impact on the way that adjacent landowners can use their land since it invites the general public into what was formerly private land.

In our case, the trail land-locks a 12 acre hay field. This means that we must get an easement from the County to take our haying equipment across the trail. Also troubling is that the trail developers are protesting legal farming activities along the trail arguing that these activities will adversely affect the users of the trail. Will we be able to fertilize our fields or use herbicides to get rid of weeds or will the trail developers obstruct the use legal farming practices?

Access to our field is also a problem. The trail developers are running a fence down both sides of the trail which would mean that if the we want to get cattle to water, we will have to open and then close two gates. Why does the convenience of the trail users have precedence over that of the landowner?

Other adjacent landowners who run cattle on their land will be cut off from their only source of water (the river) because the County is building a fence to keep the animals off the trail.

Why are the users of the trail allowed to limit the legal activities of the farmers?

Property Values

Crimes committed on trails also degrade the value of adjacent landowners' land. Our land was reduced in value during the last tax assessment because of the existence of the trail. Why should we farmers bear this burden?

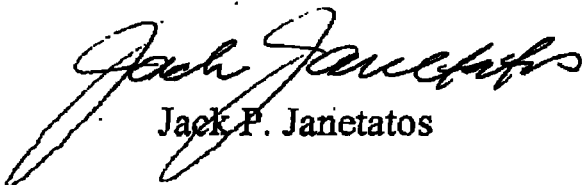
The expenses and loss of value to the farmer to accommodate the trail users is more than just burdensome—it is not right.

Solution

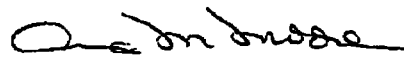
Please stop developing our farmland into "Disneyland" for the use of a few people who have contributed nothing to this land yet want to infringe on the adjacent landowners' use of their land to make a living. The abandoned rights of way, many of which were created by use of eminent domain, should be offered for sale to the adjacent landowners first.

The trains which passed through our land did no harm and were a good neighbor; the public trail is a bad neighbor.

Sincerely,



Jack P. Janetatos



Anna M. Moore